

## **CHAIR, ELECTION BOARD**

PUEBLO OF LAGUNA MAIL IN BALLOT (October 19, 2012)

# SHOULD ARTICLE II SECTION 1 OF THE CONSTITUTION BE AMENDED AS FOLLOWS?

## FROM THIS

## ARTICLE II, SECTION 1 MEMBERSHIP

<u>Section 1. Qualifications</u>. The membership of the Pueblo shall consist of the following persons; provided, that they have not renounced their membership or do not hereafter renounce their membership in the manner set forth in Section 2 of this Article:

- (a) All persons heretofore recognized as members of the Pueblo of Laguna pursuant to Article II, Section 1, of the amended Constitution and Bylaws of the Pueblo approved November 10, 1958 (the "1958 Constitution").
- (b) All persons qualified for membership in the Pueblo pursuant to Article II, Section 1, of the 1958 Constitution and the enrollment ordinances of the Pueblo, whose application for membership has not been finally determined on the effective date of this Constitution.

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#### FROM THIS

## (continued from page one)

- c) Any person of one-fourth (1/4) or more Laguna Indian blood born after January I, 1940, but prior to the effective date of this Constitution; provided, that such person shall, within two (2) years of the effective date of this Constitution, file an application for membership pursuant to the ordinances of the Pueblo. A parent or legal guardian may file an application for membership on behalf of a minor.
- (d) Any person of one-fourth (1/4) or more Laguna blood born after the effective date of this Constitution; provided, that such person shall not be entitled to membership in the Pueblo unless application for enrollment has been made by the parent, parents, or other person for him or her within two (2) years following his or her date of birth.
- (e) All persons who are naturalized as members pursuant to ordinances of the Pueblo. Such ordinances shall prescribe the conditions, limitations, and benefits of said naturalized membership status. Only the following persons shall be eligible for naturalization:
  - (1) Persons of at least one-half (1/2) degree of Indian blood of federally recognized tribes who possess at least one-eighth 1/8) degree of Laguna Indian blood.
  - (2) Persons possessing at least one-half (1/2) degree Indian blood married to members of the Pueblo and who are members of a federally recognized Indian tribe; provided, such membership is relinquished.
  - (3) Persons of Laguna blood who have previously renounced their membership in the Pueblo of Laguna.

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## (continued from page one)

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  - Persons of Laguna blood who have previously renounced their membership in the Pueblo of Laguna.

## PAGE 3 OF CONSTITUTIONAL AMENDMENT, ARTICLE II, SECTION 1. MEMBERSHIP

#### FROM THIS

## (CONTINUED FROM PAGE 2)

- (f) Any person born out of wedlock who is applying for membership under this Article may be afforded consideration of a greater degree of Laguna blood quantum, or Indian blood quantum in the appropriate case, if paternity has first been determined by a judicial decree of the Laguna Pueblo Court or other courts of competent jurisdiction. Provided; however, that foreign court decrees shall be subjected to legal review and analysis, as prescribed by enrollment ordinances of the Pueblo, prior to submission to the Pueblo Council for consideration as evidence of eligibility for membership.
- (g) This Constitution may be amended, by majority vote, pursuant to Article XV, to change the blood quantum required for membership in the Pueblo at an election called for that purpose by the Secretary of the Interior; provided, that at least seventy-five percent (75%) of the qualified voters residing upon the lands of the Pueblo, cast ballots in such election.

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